



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

February 6, 2014

REQUEST: Minor Subdivision Final Plans – Subdivision Waiver Request (Sec. 2.5, Plan Submittal Requirements) / 4301 Old York Road

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: Refuge Way of the Cross Church of Christ, Inc.

OWNER: Refuge Way of the Cross Church of Christ, Inc.

SITE/GENERAL AREA

Site Conditions: The subject property was formerly known as 4313 Old York Road, is zoned R-6 residential, and is now an undeveloped parcel. It has recently been consolidated with 4301 Old York Road, which is the property that houses the sanctuary building for the church. These properties are located on the east side of the street, at the intersection with East 43rd Street.

General Area: This property is located within the Wilson Park neighborhood, which is largely residential in nature, with the exception of the commercial corridor along York Road, which backs up to a portion of Old York road, opposite of the subject site.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

ANALYSIS

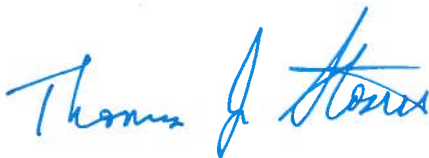
Project: The property formerly known as 4313 Old York Road was purchased by Refuge Way of the Cross Church of Christ, with the intention of future development as an expansion of their existing church property. An adjacent church, the Church of the Redeemed of the Lord, Inc. owns the parcels at 4309 and 4311 Old York Road. The two churches are planning an exchange of parcels (trading 4313 for 4309) in order to better consolidate their properties. As a complicating factor, the former 4313 Old York Road lot had already been consolidated into the 4301 Old York Road lot, and so a subdivision is required to separate the lots again for the property exchange. Considering that no development has occurred to date, the purpose of this waiver request is in essence, a request for an administrative approval to “undo” the recent consolidation without requiring the full submittal of plans that is normally required for subdivision review.

In its consideration of the proposal, staff reviewed the following factors:

- Site Plan Review Committee (SPRC): No review is required at this time, though review may be required for future development.
- Zoning Regulations: Though no development is proposed at this time, and considering that the most likely use for this parcel will be for parking, staff has verified that restoring this parcel will meet the requirements of the zoning code for the R-6 District for at least a single-family dwelling. This parcel contains 6,988± sqft, which is more than the minimum lot area of 5,000 sqft for a dwelling unit. Accounting for setback requirements, a reasonable development envelope could be provided for a semi-detached home without the need for setback variances. The property is sized sufficiently to allow access to the rear of the property by a driveway in order to provide any required parking.
- Subdivision Regulations: The project would otherwise comply with Baltimore City's Subdivision Regulations, and any development that may occur will return for Planning Commission review as a revised final development plan.

Staff recommends approval of the requested waiver of the requirements of Section 2.5 of the subdivision regulations. Strict compliance with the submittal requirements would present an unreasonable hardship for the applicant of a property where no development has occurred, and where the existing conditions will not change in the immediate future.

Community Notification: The following community organizations have been notified of this action: the York Road Partnership, the Penn Lucy Neighborhood Association, the Wilson Park Improvement Association, and the Wilson Park Northern Neighborhood.



Thomas J. Stosur
Director